

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Chapter 9

City of Detroit, Michigan

Case No: 13-53846

Debtor,

Judge Thomas J. Tucker

**SECOND ORDER REQUIRING CERTAIN ENTITIES TO
PARTICIPATE IN ADMINISTRATIVE PROCEEDINGS AT MERC**

The Detroit Water and Sewerage Department - Retail ("DWSD-R"), pursuant to court order, reduced the number of its employee classifications to ensure flexibility and long term compliance with the Clean Water Act and the City of Detroit's National Pollutant Discharge Elimination System Permit.

This effort resulted in the reduction of employee classifications at the DWSD from 257 to 57. Following the reduction of classifications, the DWSD reclassified employees as Office Support Specialist, formerly classified as: Administrative Specialists; Mail Processor; Messenger; Office Assistant I; Office Assistant II; Office Assistant III; Office Automation Support Assistant; Office Management Assistant; Clerk; Junior Clerk; Principal Clerk; Senior Clerk; Head Clerk; Voucher Audit Clerk; Senior Voucher Audit Clerk; Executive Secretary I; Executive Secretary II and Executive Secretary III . These employees were placed in the bargaining unit represented by the International Union of Operating Engineers("IUOE"). They were formerly in the bargaining unit represented by American Federation of State, County and Municipal Employees ("AFSCME").

The Honorable Thomas Tucker entered an order on October 13, 2015, establishing

the authority of United States District Judge Victoria Roberts to engage in facilitative mediation in order to resolve this bargaining unit issue and other labor related issues, and to issue any order necessary for the facilitation of mediated proceedings. There was insufficient time to mediate resolution of this unit placement issue. Because the resolution of the bargaining unit placement and other related issues are of high priority as the Great Lakes Water Authority looks to become operational on January 1, 2016, and work in conjunction with DWSD-R, the Court ORDERS the following:

1. AFSCME must file a Petition for Unit Clarification with the Michigan Employment Relations Commission ("MERC" or "Commission") on or before December 17, 2015, regarding the appropriate placement of the Office Support Specialist classification.
2. The two (2) entities listed here are to participate in proceedings before MERC in an expedited fashion to determine the appropriate unit placement of the Office Support Specialist classification:
 - a. AFSCME
 - b. IUOE
3. The MERC proceedings must conclude and a Commission decision issue no later than March 18, 2016.
4. The listed parties must adhere to all orders issued by MERC or its Administrative Law Judges.

This Order is entered as one necessary for the facilitation of mediation proceedings on this and related collective bargaining and labor matters. All entities named above must fully comply with the schedule and orders of the Commission and the assigned

Administrative Law Judge to ensure that a decision issues within the time constraints set.

IT IS ORDERED.

/s/ Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: December 10, 2015